

**STATE OF MINNESOTA**  
**IN SUPREME COURT**

**SUPREME COURT CALENDAR**  
**October 2006**  
**(Amended)**

**Court convenes at 9:00 a.m.**

Please note the following time allotments

for oral argument:

unless otherwise ordered by the Court

**appellants are limited to 35 minutes and**  
**respondents are limited to 25 minutes.**

**COURT CONVENES AT 9:00 A.M.**

**Attorneys in all cases scheduled for oral argument must check in with the Marshal in the courtroom no later than 8:40 a.m. Counsel should be present and be prepared to begin whenever their case is called.**

Chief Justice Russell A. Anderson

Justice Alan C. Page

Justice Paul H. Anderson

Justice Helen M. Meyer

Justice Sam Hanson

Justice G. Barry Anderson

Justice Lorie S. Gildea

**En Banc Oral**

	<b><u>Case Number</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>
All Parks Alliance for Change v. Uniprop Manufactured Housing Communities Income Fund	A05-912	10/11/06	Hutchinson High School
Breza v. City of Minnetrista	A04-2286	10/4/06	University of St. Thomas School of Law – 10:00 a.m.
Drewitz v. Motorwerks, Inc.	A04-2338	10/3/06	State Capitol Building, Second Floor
In the Matter of the Rate Appeal of Benedictine Health Center	A05-873	10/9/06	Judicial Center, Courtroom 300
In the Matter of the Welfare of: S.M.E.	A06-330	10/10/06	Judicial Center, Courtroom 300
Isles Wellness, Inc. v. Progressive Northern Ins. Co., et al.	A04-485, A04-486 A04-487, A05-488, A04-489	10/2/06	State Capitol Building, Second Floor
Jacobson v. \$55,900	A05-60	10/2/06	State Capitol Building, Second Floor
Manpower, Inc. v. Commissioner of Revenue	A06-468	10/3/06	State Capitol Building, Second Floor
State v. Fields	A04-2474	10/9/06	Judicial Center, Courtroom 300
State v. Martinez	A05-696	10/5/06	State Capitol Building, Second Floor
State v. Pendleton	A05-1758	10/5/06	State Capitol Building, Second Floor

**Nonoral**

Schneider v. State	A06-625	10/10/06
Spears v. State	A05-319	10/10/06

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Monday, October 2, 2006**

**En Banc Oral**

Isles Wellness, Inc., n/k/a Minneapolis  
Wellness, Inc., et al.,  
Appellants,

Michael J. Weber  
Weber Law Office  
2801 Hennepin Avenue South – Suite 200  
Minneapolis, Minnesota 55408

vs. A04-485, A04-486, A04-487,  
A04-488 and A04-489

Progressive Northern Insurance Co., a  
Delaware corporation doing business in  
the State of Minnesota,  
Respondent,

Richard S. Stempel  
Jon R. Schindel  
Stempel & Doty, PLC  
41 Twelfth Avenue North  
Hopkins, Minnesota 55343

Allstate Indemnity Company, a Delaware  
corporation doing business in the State of  
Minnesota,  
Respondent.

Order Opinion Court of Appeals

[summary of issues](#)

Richard J. Jacobson,  
Appellant,

Randall D.B. Tighe  
Randall Tighe Law Office, P.A.  
3960 Minnehaha Avenue South  
Minneapolis, Minnesota 55406

vs. A05-60

\$55,900 in U.S. Currency,  
Respondent.

James C. Backstrom  
Dakota County Attorney  
Margaret M. Horsch  
Assistant Dakota County Attorney  
Kathryn M. Keena  
Assistant Dakota County Attorney  
Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0601/opa050060-0124.htm>

[summary of issues](#)

**SUPREME COURT COURTROOM, STATE CAPITOL**

**Tuesday, October 3, 2006**

**En Banc Oral**

John S. Drewitz,  
Appellant,

Paul W. Chamberlain  
Chamberlain Law Firm  
1907 Wayzata Boulevard – Suite 130  
Wayzata, Minnesota 55391

vs. A04-2338

Motorwerks, Inc., et al.,  
Respondents.

William M. Hart  
Mary M.L. O'Brien  
Jeffrey M. Thompson  
Erica Gutmann Strohl  
Meagher & Geer, P.L.L.P.  
33 South Sixth Street – Suite 4400  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0512/opa042338-1213.htm>

[summary of issues](#)

Manpower, Inc.,  
Relator,

Walter A. Pickhardt  
Lisa R. Pugh  
Faegre & Benson, LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402

vs. A06-468

Commissioner of Revenue,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
Bradford S. Delapena  
Assistant Attorney General  
Catherine M. Keane  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Tax Court

[summary of issues](#)

**UNIVERSITY OF ST. THOMAS SCHOOL OF LAW – 10:00 A.M.**

**Wednesday, October 4, 2006**

**En Banc Oral**

Richard Breza,

Appellant,

Gary A. Van Cleve

Jessica B. Rivas

Larkin Hoffman Daly & Lindgren, Ltd.

1500 Wells Fargo Plaza

7900 Xerxes Avenue South

Bloomington, Minnesota 55431

vs. A04-2286

City of Minnetrista,

Respondent.

George C. Hoff

Justin L. Templin

Hoff, Barry & Kuderer, P.A.

160 Flagship Corporate Center

775 Prairie Center Drive

Eden Prairie, Minnesota 55344-7319

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctappub/0511/opa042286-1129.htm>

[summary of issues](#)

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**SUPREME COURT COURTROOM, STATE CAPITOL**

**Thursday, October 5, 2006**

**En Banc Oral**

State of Minnesota,  
Respondent,

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Amy Klobuchar  
Hennepin County Attorney  
Jean E. Burdorf  
Assistant Hennepin County Attorney  
C-2000 Government Center  
Minneapolis, Minnesota 55487

vs. A05-696

Arturo Montano Martinez,  
Appellant.

Office of the Minnesota State Public Defender  
Charles F. Clippert  
Special Assistant State Public Defender  
Bethel & Associates  
1600 Pioneer Building  
336 N. Robert Street  
St. Paul, Minnesota 55101

Judgment Hennepin County

[summary of issues](#)

State of Minnesota,  
Respondent,

Mike Hatch  
Minnesota Attorney General  
Kimberly Parker  
Assistant Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Michelle Dietrich  
Redwood County Attorney  
P.O. Box 130  
Redwood Falls, Minnesota 56283

vs. A05-1758

Morris Jerome Pendleton, Jr.,  
Appellant.

Mark D. Nyvold  
332 Minnesota Street – Suite W-1610  
St. Paul, Minnesota 55101

Judgment Redwood County

[summary of issues](#)

**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Monday, October 9, 2006**

**En Banc Oral**

In the Matter of the Rate Appeal  
of Benedictine Health Center

Case No. A05-873

Samuel D. Orbovich  
Thomas L. Skorczeski  
Orbovich & Gartner, Chartered  
408 St. Peter Street – Suite 417  
St. Paul, Minnesota 55102-1187

Mike Hatch  
Minnesota Attorney General  
Erika Schneller Sullivan  
Assistant Attorney General  
445 Minnesota Street – Suite 900  
St. Paul, Minnesota 55101-2127

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0601/opa050873-0131.htm>

[summary of issues](#)

State of Minnesota,

Appellant,

Mike Hatch  
Minnesota Attorney General  
John B. Galus  
Assistant Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

David J. Hauser  
Otter Tail County Attorney  
Otter Tail County Courthouse  
121 Junius Avenue  
Fergus Falls, Minnesota 56537

vs. A04-2474

William Leroy Fields,

Respondent.

Office of the Minnesota State Public Defender  
Marie Wolf  
Assistant State Public Defender  
2221 University Avenue S.E. – Suite 425  
Minneapolis, Minnesota 55414

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0602/opa042474-0228.htm>

[summary of issues](#)



**COURTROOM 300, MINNESOTA JUDICIAL CENTER**

**Tuesday, October 10, 2006**

**En Banc Oral**

In the Matter of the Welfare of:  
S.M.E., Child.

Case No. A06-330

Office of the Minnesota State Public Defender  
Ann McCaughan  
Assistant State Public Defender  
2221 University Avenue S.E. – Suite 425  
Minneapolis, Minnesota 55414

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2127

Michael A. Fahey  
Carver County Attorney  
Janet L. Barke Cain  
Assistant Carver County Attorney  
Carver County Justice Center  
604 East Fourth Street  
Chaska, Minnesota 55318

Order Court of Appeals

[summary of issues](#)

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**(Tuesday, October 10, 2006 continued on next page)**

(Tuesday, October 10, 2006 continued)

**Nonoral**

Randall Mark Spears,  
Appellant,

Office of the Minnesota State Public Defender  
Benjamin J. Butler  
Assistant State Public Defender  
2221 University Avenue S.E. – Suite 425  
Minneapolis, Minnesota 55414

vs. A05-319

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

Patrick J. Ciliberto  
Scott County Attorney  
Todd P. Zettler  
Special Assistant Scott County Attorney  
Scott County Justice Center  
200 West Fourth Street  
Shakopee, Minnesota 55379

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0601/opa050319-0131.htm>

[summary of issues](#)

Cletus Eugene Schneider, petitioner,  
Appellant,

Kyle D. White  
386 North Wabasha Street – Suite 1450  
St. Paul, Minnesota 55102

vs. A06-625

State of Minnesota,  
Respondent.

Mike Hatch  
Minnesota Attorney General  
1800 NCL Tower  
445 Minnesota Street  
St. Paul, Minnesota 55101-2134

James C. Backstrom  
Dakota County Attorney  
Nicole E. Nee  
Assistant Dakota County Attorney  
Dakota County Judicial Center  
1560 Highway 55  
Hastings, Minnesota 55033

Order Dakota County

[summary of issues](#)

**HUTCHINSON HIGH SCHOOL – 9:30 A.M.**

**Wednesday, October 11, 2006**

**En Banc Oral**

All Parks Alliance for Change,  
Appellant,

Kay Nord Hunt  
Barry A. O’Neil  
Valerie Sims  
Lommen, Abdo, Cole, King & Stageberg, P.A.  
2000 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402

vs. A05-912

Uniprop Manufactured Housing  
Communities Income Fund, d/b/a  
Ardmor Village,  
Respondent.

John F. Bonner, III  
Robyn K. Johnson  
Thomas F. DeVincke  
Bonner & Borhart, LLP  
1950 U.S. Bank Plaza  
220 South Sixth Street  
Minneapolis, Minnesota 55402

Opinion Court of Appeals

<http://www.lawlibrary.state.mn.us/archive/ctapun/0603/opa050912-0314.htm>

[summary of issues](#)

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